

1 JIMMIE STEPHEN,

2 Petitioner,

3 **ORDER OF DISMISSAL**4 v.
5 JUSTICE REINHARDT; et al.,
6 Respondents.7

8 Jimmie Stephen, an inmate at the California Medical Facility in Vacaville, filed a petition
9 for writ of mandamus to compel the U.S. Court of Appeals for the Ninth Circuit to do an en banc
10 reversal of a decision of a panel of that court that dismissed his appeal from an adverse decision
11 in an action he had filed in the U.S. District Court for the Central District of California. The
12 action in the Central District had been dismissed as an unauthorized successive habeas petition.13 A federal court must engage in a preliminary screening of any case in which a prisoner
14 seeks redress from a governmental entity or officer or employee of a governmental entity. See
15 28 U.S.C. § 1915A(a). In its review the court must identify any cognizable claims, and dismiss
16 any claims which are frivolous, malicious, fail to state a claim upon which relief may be granted,
17 or seek monetary relief from a defendant who is immune from such relief. See id. at
18 1915A(b)(1),(2). Pro se pleadings must be liberally construed. See Balistreri v. Pacifica Police
19 Dep't, 901 F.2d 696, 699 (9th Cir. 1990).

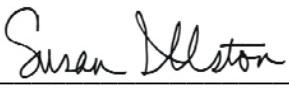
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1 The petition is plainly frivolous. A district court has no authority to review any ruling
2 of a federal court of appeals. See Mullis v. U.S. Bankruptcy Court, 828 F.2d 1385, 1393 n.19
3 (9th Cir. 1987). This action is DISMISSED with prejudice because it is frivolous.

4 IT IS SO ORDERED.

5 Dated: April 1, 2010



SUSAN ILLSTON
United States District Judge